



**CITY OF SUNNYVALE  
REPORT  
Administrative Hearing**

**May 10, 2006**

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**SUBJECT:**           **2006-0337 – California Water Service** [Applicant/Owner]:  
Application located at **1322 Warner Avenue** (near W  
Fremont Ave) in an R-1 (Low-Density Residential) Zoning  
District.

Motion               Use Permit on a 24,000 square foot site to allow reactivation  
of an existing water pump station including a new steel tank  
and associated equipment.

**REPORT IN BRIEF**

**Existing Site**           Water Pump Facility  
**Conditions**

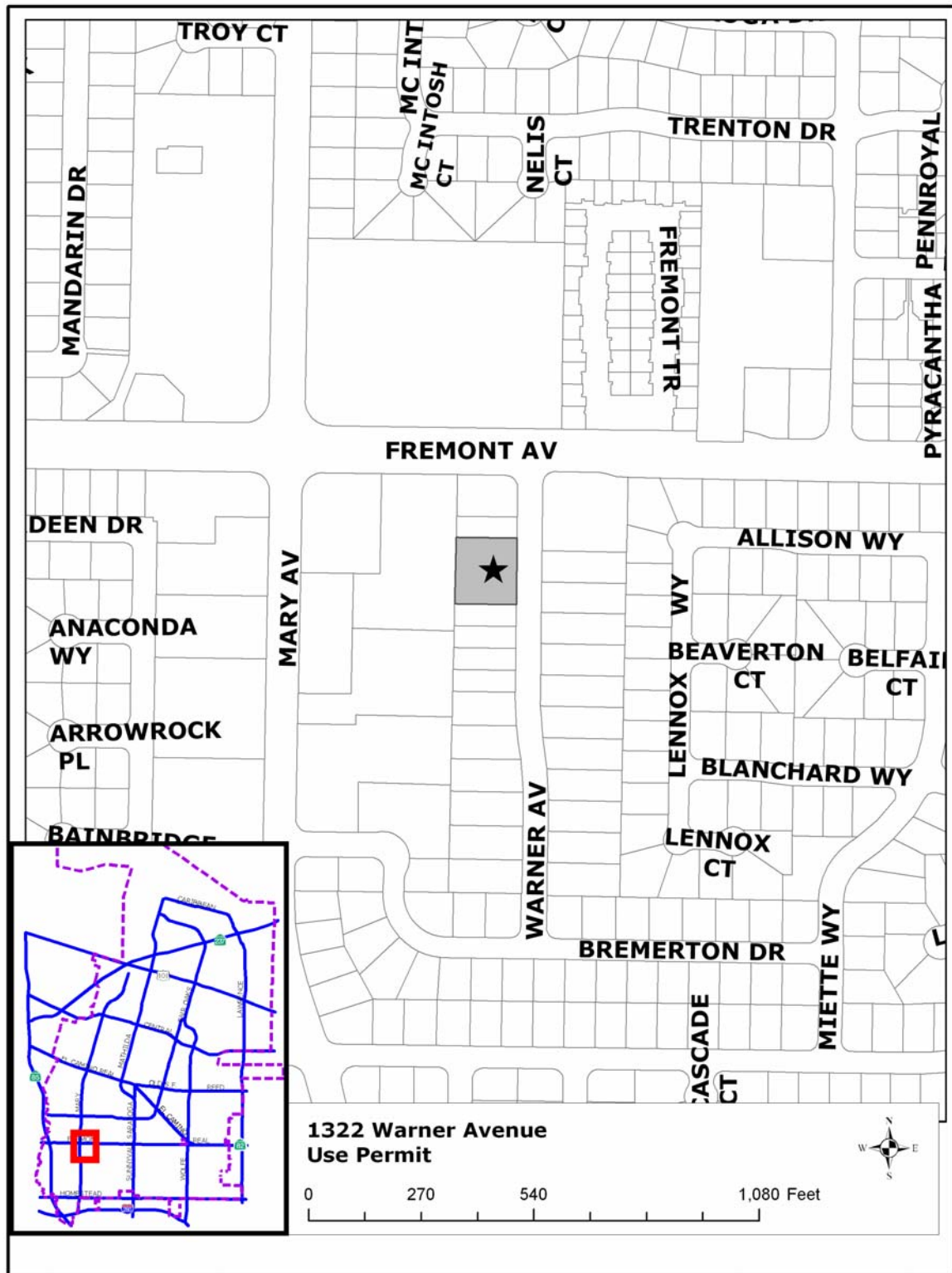
**Surrounding Land Uses**

North	Gas Station
South	Single-Family Home
East	Single-Family Home
West	Commercial Shopping Center

**Issues**               Aesthetics, Noise

**Environmental**       A Class 1 Categorical Exemption relieves this project  
**Status**               from California Environmental Quality Act provisions  
and City Guidelines.

**Staff**               Approve with Conditions  
**Recommendation**



**1PROJECT DATA TABLE**

	<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED/ PERMITTED</b>
<b>General Plan</b>	Residential Low Density	Same	Residential Low Density
<b>Zoning District</b>	R-1	Same	R-1
<b>Lot Size (s.f.)</b>	24,000	Same	8,000 min.
<b>Gross Floor Area (s.f.)</b>	4,013	4,265	No max.
<b>Lot Coverage (%)</b>	17%	18%	40% max.
<b>No. of Buildings On-Site</b>	1 tank	Same	---
<b>Tank Height (ft.)</b>	16'	18'	30' max.
<b>Setbacks (Accessory Structure)</b>			
<b>Front</b>	75'	74'	20' min.
<b>Left Side</b>	112'	66'	6' min. (15' combined)
<b>Right Side</b>	74'	116'	9' min. (15' combined)
<b>Rear</b>	51'	48'	20' min.

**ANALYSIS****Description of Proposed Project**

The proposed project is for the renovation of an existing water pump facility site at 1322 Warner Avenue. An existing water tank will be replaced by a new similarly sized steel tank. The new tank location will be approximately 40-45 feet further to the south (closer to the center of the lot). New mechanical and electrical equipment will also be placed on the site. The new equipment will enable California Water Services to reactivate the well under the approval granted by the Department of Health Services.

**Background**

**Previous Actions on the Site:** There are no previous planning items related to the site. During the 1980s, nitrate levels in the well exceeded allowable levels and the site became dormant. Over the years, the equipment has not been well maintained and the equipment cannot be repaired. Within the last twenty

years, nitrate levels have decreased to a point where the site can become viable for use with necessary equipment upgrades.

### **Environmental Review**

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions includes existing facilities that provide utility services.

### **Variance**

**Site Layout:** The layout of the site consists of a water tank located near the center of the site with associated equipment. A chain link fence and gate is also positioned approximately 31 feet from the front property line and 29 feet from the rear property line. A new 50,000 gallon tank bolted steel tank will replace the existing tank near the center of the site. A vertical turbine booster and panelboard will also be located on-site (See Site Plan in Attachment C for more detail).

**Architecture:** The new 50,000 gallon tank constructed of bolted steel will replace the existing redwood baffle tank (also 50,000 gallon).

**Landscaping:** A majority of the site is composed of lawn with various shrubs and trees scattered throughout. No modifications to the existing landscaping are proposed in conjunction with this proposal. As Condition of Approval #3A, staff is requiring a tree protection plan for existing trees of the site during construction at the site. In order to improve the view of the site from the street and help screen the equipment, staff has included Condition of Approval #1D that green vinyl slats be added to the fence. Staff has also included Condition of Approval #1E which requires additional vegetation in front of the fencing at the Warner frontage. The applicant shall work with staff to determine the most appropriate landscaping and its location for the site.

**Parking/Circulation:** Access to the site is enabled through a driveway at the Warner Avenue frontage. The driveway area is not paved and composed of dirt and gravel.

**Compliance with Development Standards/Guidelines:** The proposed renovated pump facility complies with all development standards including setback and lot coverage requirements. As indicated in the application proposal and as conditioned (Condition of Approval #1C), noise standards will also be met for the site.

**Expected Impact on the Surroundings:** The new water tank and associated equipment will have a slightly different visual impact to the street and

neighboring properties than the current facility. In addition to being composed of steel, Staff feels the fence and new landscaping at the front perimeter (as conditioned) would improve the visual aesthetics of the site. As the facility is not currently in operation, additional noise from the facility will increase the level currently present on the site. As indicated by the applicant and as conditioned, the site will comply with Municipal Code noise standards for daytime and nighttime hours.

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**Fiscal Impact**

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No fiscal impacts other than normal fees and taxes are expected.

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**Public Contact**

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Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"><li>• Published in the <i>Sun</i> newspaper</li><li>• Posted on the site</li><li>• 8 notices mailed to property owners and residents adjacent to the project site</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City of Sunnyvale's Website</li><li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City's official notice bulletin board</li><li>• City of Sunnyvale's Website</li><li>• Recorded for SunDial</li></ul>

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**Conclusion**

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**Findings and General Plan Goals:** Staff was able to make the required Findings for the Use Permit. Findings and General Plan Goals are located in Attachment A.

**Conditions of Approval:** Conditions of Approval are located in Attachment B.

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**Alternatives**

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1. Approve the Use Permit with the attached conditions.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit.

**Recommendation**

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Alternative 1.

Prepared by:

Ryan M. Kuchenig  
Project Planner

Reviewed by:

Andrew Miner  
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Justifications from the Applicant
- E. Site Photos

## **Recommended Findings – Use Permit**

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Goals and Policies that relate to this project are:

### **Land Use and Transportation Element - Action Statement N1.1.1**

*Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. The reactivation of a water pump facility is consistent with the public utility service that had previously established at the site. Landscape improvements will help mitigate visual impacts of facility on the site
2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District. The use had been previously established at the site and will provide the surrounding community an additional source of potable water. Possible noise and visual impacts to the surrounding area are mitigated through conditions of approval.

**Recommended Conditions of Approval – Use Permit**

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In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

**1. GENERAL CONDITIONS**

- A. The Use Permit shall be null and void two years from the date of approval by the final review authority if the approval is not exercised.
- B. Project shall be in conformance with the plans approved at the public hearing. Minor changes may be approved by the Director of Community Development; major changes may be approved at a public hearing.
- C. Noise generated from the facility shall not exceed levels set forth by Sunnyvale Municipal Code Section 19.42.030 (50 dBA during nighttime or 60 dBA during daytime hours on adjacent residentially zoned property).
- D. The chain-link fence near the Warner Avenue frontage shall incorporate green vinyl slats for improved screening of the site.
- E. Additional vegetation shall be planted in front of the fence along Warner Avenue. The applicant shall work with staff to determine the most appropriate species and location.
- F. Any damage done to sidewalk, curb and gutter, or street pavement is to be repaired to the satisfaction of the City.

**2. STORMWATER MANAGEMENT**

- A. Prior to construction, provide stormwater management that utilizes best management practices during construction. Submit a plan that considers the following methods:
  - 1. Utilize crushed drain rock (open graded) from the sidewalk to the fence
  - 2. Position sand bags around the closest catch basin, filter fabric under the grate and across the curb inlet.



- B. Provide contact information of a site monitor that will oversee construction at the site to the City.

**3. TREE PRESERVATION**

- A. Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for approval.
- B. The tree protection plan shall be installed prior to issuance of any Building Permits, subject to the on-site inspection and approval by the City Arborist.
- C. The tree protection plan shall remain in place for the duration of construction.
- D. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120 and at a minimum:
  - 1. An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
  - 2. All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
  - 3. Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
  - 4. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged.

**4. UNDERGROUND UTILITIES**

- A. All existing service drops and overhead utility lines shall be placed underground. The Director of Community Development may consider a waiver or deferral agreement for the undergrounding overhead utility lines through a Miscellaneous Plan Permit application.

SI PLAYS  
SOME 1"2 10"



## **Use Permit Justification: City of Sunnyvale**

2) Is desirable and not materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the zoning district.

CWSC proposes to re-activate an existing well (LAS 21-01), under the approval granted by the Department of Health Services. The contaminate levels of the well for recent sampling indicated the nitrate levels have dropped below the maximum contaminant level required by the State.

The proposed work includes adding mechanical and electrical equipment to the site to operate the facility, as well as replacing the existing redwood baffle tank with a new bolted steel tank of similar size and volume.

The project will be beneficial to the community by providing another source of potable water. This will aid in supplying water to the community of Sunnyvale and improve the general operation of the water system.

There will not be any additional changes in landscaping which will cause major aesthetic changes to the site. The existing landscaping and irrigation will remain. No improvements will be made which would be considered detrimental to the public welfare or injurious to the property or surrounding property. There will be no improvements made outside the property line which may affect the surrounding residential and or commercial properties.

## Site Photos

